

Before the
Federal Communications Commission
Washington, D.C. 20554

OCT 11 2007

In the matter of)

Amendment of Section 73.202(b))

FM Table of Allotments,)

FM Broadcast Stations.)

(Prineville, Oregon))

MB Docket No. 07-39

RM-11360

REPORT AND ORDER
(Proceeding Terminated)

Adopted: October 3, 2007**Released: October 5, 2007**

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it a *Notice of Proposed Rulemaking*¹ issued at the request of Terry A. Cowan ("Petitioner"), proposing the allotment of Channel 226C3 at Prineville, Oregon.² Petitioner filed comments reiterating his continuing interest. Linda Crawford also filed comments expressing her interest. No counterproposals were received in this proceeding.

2. We allot alternate Channel 299C3 at Prineville in lieu of Channel 226C3. This alternate channel avoids a conflict with an application for Station KTL-FM, Channel 232C3 at Tillamook, Oregon to change its channel and community of license to Channel 232C2 at Government Camp, Oregon.³ In order to accommodate that application, it was necessary for the applicant to propose the substitution of Channel 225C0 for Channel 231C0 at Bend, Oregon, and modification of the Station KXIX(FM) license to specify operation on Channel 225C0. This modification conflicts with the originally proposed Channel 226C3 allotment at Prineville.

3. We find that Prineville is a community for allotment purposes and that the public interest would be served by allotting Channel 299C3 at Prineville as a fourth local commercial FM service. Channel 299C3 can be allotted at Prineville consistent with the Commission's minimum distance separation requirements at 44-26-17 North Latitude and 120-57-12 West Longitude with a site restriction of 11.4 kilometers (7.1 miles) north of city reference.

4. Accordingly, pursuant to the authority found in 47 U.S.C. Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) and 47 C.F.R. Sections 0.61, 0.204(b) and 0.283, IT IS ORDERED, That effective,

¹ See *Prineville, Oregon*, Notice of Proposed Rule Making, 22 FCC Rcd 4188 (MB 2007).

² Petitioner filed the petition for rule making pursuant to *Revision of Procedures Governing Amendments to FM Table of Allotments and Changes of Community of License in the Radio Broadcast Services Report and Order*, 21 FCC Rcd 14212 (2006) ("*Revised Allotment Procedures R&O*").

³ See File No. BPH-20070125ADO.

November 19, 2007, the FM Table of Allotments, 47 C.F.R. Section 73.202(b), IS AMENDED⁴ for the community listed below, as follows:

<u>Community</u>	<u>Channel No.</u>
Prineville, Oregon	299C3, 267C1

5. A summary of this Report and Order will be published in the Federal Register because we are amending Section 73.202(b) of the Commission's Rules.

6. A filing window period for Channel 299C3 at Prineville, Oregon will not be opened at this time. Instead, the issue of opening this allotment for auction will be addressed by the Commission in a subsequent order.

7. The Commission will send a copy of this Report and Order in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. Section 801(a)(1)(A).

8. IT IS FURTHER ORDERED, That the aforementioned proceeding IS TERMINATED.

9. For further information concerning this proceeding, contact Rolanda F. Smith, Media Bureau, (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief
Audio Division
Media Bureau

⁴ "[W]e shall amend the Table of Allotments to reflect only vacant allotments that do not correspond to an authorized station or reserved assignment. Assignments for licensed, permitted, and reserved facilities (those for which applications are pending) will be reflected solely in CDBS." *See Revised Allotment Procedures R&O*, 21 FCC Rcd at 14222 (footnote omitted).